

REMARKS/ARGUMENTS

Claims 8, 20, 21, 26, 31, 32, 35-38, 40, 43, 45-56, 58, 62-64, 97-127 and 137-188 remain in this application. Of these claims, claims 137-153 and 156-176 read on the elected species of Figs. 5-5a.

Claims 8, 20, 21, 26, 31, 32, 35-38, 40, 43, 45-56, 58, 62-64, 97-127, 154, 155, and 177-188 are directed to one or more of the non-elected species. However, upon the allowance of a generic claim, consideration of claims to additional species which are written in independent form or otherwise include all of the limitations of an allowed generic claim is respectfully requested.

The Examiner provisionally rejected the claims directed to the elected species of this application under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 183-289 of applicants' co-pending Application No. 09/256,275. Claims 183-289 of applicants' co-pending application have been canceled and replaced by new claims 290-357.

Moreover, it is respectfully submitted that all of the elected claims 137-153 and 156-176 of this application are patentably distinct from the pending claims of applicants' co-pending application in that all of the claims of that application are directed to a light emitting panel assembly including a light emitting panel member having at least one input edge for receiving light from a light source and a pattern of individual light extracting deformities on or in at least one panel surface of the panel member for producing a desired light output from the panel member. In contrast, all of the elected claims 137-153 and 156-167 of this application are directed to a light redirecting film comprising a thin optically

transparent substrate having individual optical elements of well defined shape on or in the substrate to redistribute at least some light entering one side and exiting the other side, etc. Accordingly, withdrawal of this provisional obviousness-type double patenting rejection is respectfully requested.

The Examiner also rejected the previously pending elected claims under 35 U.S.C. § 102(b) as being anticipated by Kojima et al, Yoshikawa et al (Fig. 4) and/or Albinger, Jr. However, it is respectfully submitted that all of the new elected claims 137-153 and 156-176 clearly patentably distinguish over all of the cited references for at least the following reasons:

Claim 137 is directed to a light redirecting film including, *inter alia*, a thin optically transparent substrate having individual optical elements of well defined shape on or in the substrate to redistribute at least some light entering one side and exiting the other side toward a direction normal to the substrate. The optical elements are quite small in relation to a width and length of the substrate, and at least some of the optical elements have at least one curved surface and at least one planar surface for redistributing light along two different axes. Moreover, both surfaces of the optical elements intersect each other and intersect the substrate or another optical element, with the optical elements overlapping, intersecting or interlocking each other such that the optical elements substantially cover at least one of the sides of the substrate.

Briefly it is the position of the Examiner that each of the patents to Kojima et al, Yoshikawa et al and Albinger, Jr., discloses a light redirecting film comprising a thin optically transparent substrate having individual optical

elements of well defined shape on or in the substrate to redistribute light passing through the substrate towards a direction normal to the substrate, the optical elements are quite small in relation to the width and length of the substrate, and at least some of the optical elements have at least one curved surface and at least one planar surface for redistributing light along two different axes. However, the substrates of each of these patents are light emitting panel members that receive light from light sources adjacent one or both ends of the substrate, not a light redirecting film having individual optical elements to redistribute at least some light entering one side and exiting the other side toward a direction normal to the substrate as claimed. Moreover, none of these references discloses or suggests such a light redirecting film having optical elements that are quite small in relation to a width and length of the substrate, wherein at least some of the optical elements have at least one curved surface and at least one planar surface that intersect each other and both surfaces also intersect the substrate or another optical element with the optical elements overlapping, intersecting or interlocking each other such that the optical elements substantially cover at least one of the sides of the substrate as further recited in claim 137. In Kojima (Figs. 5 and 6) the individual optical elements 7 each have a truncated hexagonal shape with rounded recesses 71 in their upper surfaces, whereas in Yoshikawa et al (Fig. 4) the individual optical elements have circular projecting portions 31 with flat vertex surfaces. In neither of these references do both of the surfaces of the optical elements intersect each other and also intersect the substrate or another optical element as claimed. Nor do the optical

elements of such references overlap, intersect or interlock each other such that the optical elements substantially cover at least one of the sides of the substrate as claimed.

The individual optical elements 10 of Albinger, Jr. are semi-spherical depressions and thus do not have at least one curved surface and at least one planar surface intersecting each other, much less wherein both surfaces of the optical elements intersect the substrate or another optical element. Also, while some of the semi-spherical depressions 10 and 13 of Albinger, Jr. may overlap each other, the optical elements do not overlap, intersect or interlock each other such that the optical elements substantially cover at least one of the sides of the substrate as claimed. Accordingly, claim 137 is submitted as clearly allowable.

Claims 138-147 depend from claim 137 and are submitted as allowable for substantially the same reasons. Moreover, claims 138-141 further patentably distinguish over the cited references by reciting that the intersection of both surfaces of the optical elements form a ridge having ends that intersect the substrate or another optical element where the ridge ends, which is clearly not disclosed or suggested in any of the cited references. Also claim 139 additionally recites that at least one end of the ridge of at least some of the optical elements intersects another optical element; claim 140 additionally recites that at least one end of the ridge of at least some of the optical elements intersects the substrate, and claim 141 additionally recites that the ridge of the optical elements is in a single plane, which is also not disclosed or suggested in the cited references.

Claims 143-147 also further patentably distinguish over the cited references, claim 143 by reciting that the curved surface of at least some of the optical elements intersects the substrate, claim 144 by reciting that the optical elements randomly overlap, intersect or interlock each other, claim 145 by reciting that some of the optical elements intersect the substrate at different angles, claim 146 by reciting that the ratio of the planar surface to the curved surface of the optical elements is selected to produce a desired viewing angle, and claim 147 by reciting that the light that enters the one side of the substrate is received from a backlight, and at least some of the optical elements differ in size, shape, angle or orientation to redistribute more of the light emitted by the backlight in a desired viewing angle.

Claim 148 is directed to a light redirecting film including individual optical elements of well defined shape on or in the substrate for redirecting at least some of the light passing through one side and out the other side in a predetermined beam pattern, the optical elements being quite small in relation to a width and length of the substrate. Also at least some of the optical elements have at least two sloping surfaces that intersect each other to form a ridge having ends that intersect the substrate or another optical element where the ridge ends, with the optical elements overlapping, intersecting or interlocking each other such that the optical elements substantially cover at least one of the sides of the substrate. In neither Kojima et al or Yoshikawa et al do the sloping surfaces of the optical elements intersect each other to form a ridge having ends that intersect the substrate or another optical element where the ridge ends. The

same remarks equally apply with respect to the optical elements of Albinger, Jr. Moreover, the optical elements of Kojima and Yashikawa do not overlap, intersect or interlock each other, and the optical elements of Albinger, Jr. do not overlap, intersect or interlock each other such that the optical elements substantially cover at least one of the sides of the substrate. Accordingly, claim 148 is submitted as clearly allowable.

Claims 149-153 and 156 depend from claim 148 and are submitted as allowable for substantially the same reasons. Moreover, claims 149 and 156 further patentably distinguish over the cited references, claim 149 by reciting that at least some of the optical elements only have one ridge, and claim 156 by reciting that at least some of the optical elements have at least two sloping surfaces that intersect the substrate or another optical element.

Claim 157 is directed to a light redirecting film in which at least some of the optical elements have only two surfaces, one of which is curved and the other of which is planar. Also both surfaces of the optical elements intersect each other to form a ridge with ends and both surfaces of the optical elements intersect the substrate or another optical element with the optical elements overlapping, intersecting or interlocking each other such that the optical elements substantially cover at least one of the sides of the substrate, in a manner also nowhere disclosed or suggested in the cited references. Accordingly, claim 157 is submitted as clearly allowable.

Claims 158-166 depend from claim 157 and are submitted as allowable for substantially the same reasons. Moreover, claim 159 further patentably

distinguishes over the cited references by reciting that the curved surface of at least some of the optical elements intersects the substrate. Claims 160-162 further patentably distinguish over the cited references, claim 160 by reciting that the ridge of at least some of the optical elements is in a single plane, and claims 161 and 162 by reciting that the ends of the ridge intersect the substrate or other optical elements where the ridge ends. Also claim 162 additionally recites that at least one end of the ridge of at least some of the optical elements intersects another optical element.

Claims 163-166 further patentably distinguish over the cited references, claim 163 by reciting that the optical elements randomly overlap, intersect or interlock each other, claim 164 by reciting that at least some of the optical elements or the optical element surfaces are rotated or intersect the substrate at different angles, claim 165 by reciting that the ratio of the planar and curved surfaces of the optical elements is selected to produce a desired viewing angle, and claim 166 by reciting that the curvature of the curved surface of the optical elements is selected to produce a desired viewing angle.

Claim 167 is directed to a light redirecting film wherein at least some of the optical elements have at least two sloping surfaces that intersect each other to form a ridge having ends, wherein the ridge of at least some of the optical elements is in generally the same direction, and the optical elements overlap, intersect or interlock each other such that the optical elements substantially cover at least one of the sides of the substrate, in a manner also nowhere disclosed or

suggested in the cited references. Accordingly, claim 167 is submitted as clearly allowable.

Claims 168-170 depend from claim 167 and are submitted as allowable for substantially the same reasons. Moreover, claim 168 further patentably distinguishes over the cited references by reciting that the optical elements randomly overlap, intersect or interlock each other. Also, claim 170 further patentably distinguishes over the cited references by reciting that the ridge of at least some of the optical elements is in the same plane.

Claim 171 is directed to a light redirecting film wherein at least some of the claimed optical elements have a greater length than width, and at least some of the optical elements have at least two sloping surfaces that intersect each other to form a ridge with end points and the ridge of at least some of the optical elements is generally parallel to the length direction of the optical elements. As will be apparent, no such optical elements are disclosed or suggested in any of the cited references. Accordingly, claim 171 is submitted as clearly allowable.

Claims 172-175 depend from claim 171 and are submitted as allowable for substantially the same reasons. Moreover, claims 172-174 further patentably distinguish over the cited references, claim 172 by reciting that at least some of the optical elements overlap, intersect or interlock each other, claims 173 and 174 by reciting that the optical elements overlap, intersect or interlock each other to substantially cover at least one of the sides of the substrate, and claim 174 also by reciting that the optical elements randomly overlap, intersect or interlock each other.

Claim 176 is directed to a light redirecting film in which at least some of the claimed optical elements have at least two sloping surfaces that intersect each other to form a ridge with ends and both sloping surfaces intersect the substrate or another optical element, in a manner also nowhere disclosed or suggested in the cited references. Accordingly, claim 176 is submitted as clearly allowable.

For the foregoing reasons, all of the pending elected claims 137-153 and 156-176 are believed to be in condition for allowance. Should the Examiner disagree with applicants' attorney in any respect, it is respectfully requested that the Examiner telephone applicants' attorney in an effort to resolve such differences.

The remaining claims 8, 20, 21, 26, 31, 32, 35-38, 40, 43, 45-56, 58, 62-64, 97-127, 154, 155 and 177-188 are directed to one or more of the non-elected species. Of these claims, claims 26, 31, 32, 35-38, 40, 43, 45-56, 58 and 62-64 depend from elected claim 137. Accordingly, upon allowance of claim 137, the allowance of these dependent claims is respectfully requested.

Moreover, claims 154 and 155 depend from elected claim 148 and claim 177 depends from elected claim 176. Accordingly, upon allowance of claims 148 and 176, the allowance of claims 154, 155 and 177 is respectfully requested. Also claim 178 is directed to an optical assembly including the light redirecting film of elected claim 148. Accordingly, upon allowance of claim 148, the allowance of claim 178 and its dependent claims 179-182 is respectfully requested.

In the event an extension of time is necessary, this should be considered a petition for such an extension. If required, fees are enclosed for the extension of time and/or for the presentation of new and/or amended claims. In the event any additional fees are due in connection with the filing of this Amendment, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (Charge No. GLOLP0114US).

Respectfully submitted,

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